

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ANDREW JOHNSON,

Plaintiff,

vs.

EXPERIAN MARKETING  
SOLUTIONS, INC., a Delaware  
Corporation,

Defendant.

8:15-CV-125

ORDER

This matter is before the Court on the Defendant's Motion to Lift Stay (filing [25](#)), asking the Court to lift the stay of these proceedings. That motion will be granted.

The Court initially stayed this case on the defendants' motion, based on the Court's conclusion that the question in controversy would be better suited to disposition in a parallel Illinois state-court proceeding. *See* filing [22](#) (citing *Wilton v. Seven Falls Co.*, 515 U.S. 277 (1995)). But, the Court acknowledged, if the Illinois court granted a then-pending motion to dismiss filed by the plaintiff in this case, the Court's abstention analysis could change. Filing [22](#) at 6. The defendant now informs the Court that the Illinois action has been dismissed as to the plaintiff in this case, based upon the Illinois court's lack of personal jurisdiction over the plaintiff. Filing [25](#) at 1. Accordingly, abstention is no longer warranted and this case should proceed. The defendant's motion will be granted and the stay lifted.

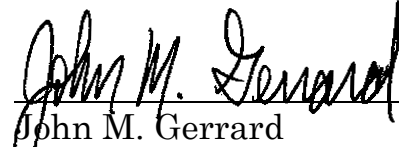
IT IS ORDERED:

1. The Defendant's Motion to Lift Stay (filing [25](#)) is granted.
2. The stay of this case is lifted.
3. The defendant shall file its answer or responsive motion, pursuant to [Fed. R. Civ. P. 12\(a\)](#), on or before September 18, 2015.

4. The Clerk of the Court is directed to terminate the status report deadline of September 29, 2015.

Dated this 1st day of September, 2015.

BY THE COURT:

  
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John M. Gerrard  
United States District Judge